

ORIGINAL

SWIDLER BERLIN SHERIFF FRIEDMAN, LLP

3000 K STREET, NW, SUITE 3004
WASHINGTON, DC 20007-3116

TELEPHONE (202) 424-7500

FACSIMILE (202) 424-7642

WWW.SWIDLAW.COM

REC'D TN
JUN 24 AM 10 16
OFFICE OF THE
EXECUTIVE SECRETARY

NEW YORK OFFICE

919 THIRD AVENUE

NEW YORK, NY 10022-9998

(212) 758-9500 FAX (212) 758-9526

June 23, 1999

VIA OVERNIGHT DELIVERY

K. David Waddell, Executive Secretary
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243

Re: **IntraLATA Toll Dialing Parity Plan**

99-00285

Dear Mr. Waddell:

On behalf of WinStar Wireless, Inc. ("WinStar"), enclosed for filing is an original and thirteen (13) copies of WinStar's revised IntraLATA Presubscription Implementation Plan ("Plan") and Bill Insert. These revisions are made at the request of Carsie Mundy of the Tennessee Regulatory Authority.

Please date-stamp the extra copy of this filing and return it to us in the self-addressed, prepaid envelope enclosed herein. Should you have any questions on this matter, please do not hesitate to contact John Beahn at (202) 945-6947.

Sincerely,

Kathy L. Cooper/gms

Russell M. Blau

Kathy Cooper

Counsel for WinStar Wireless, Inc.

Enclosures

cc: Carsie Mundy

**BEFORE THE
REGULATORY AUTHORITY OF THE
STATE OF TENNESSEE**

**WinStar Wireless, Inc.
Toll Dialing Parity Plan**

REC'D TN
REGULATORY AUTH.
'99 JUN 24 AM 10 17
OFFICE OF THE
EXECUTIVE SECRETARY

INTRODUCTION

WinStar Wireless, Inc. ("WinStar") will initiate the process that will give end user customers the opportunity to designate a carrier for their intraLATA toll call traffic in those market areas where WinStar is a facility based local exchange service provider. IntraLATA toll calls will automatically be directed to the designated carrier without the customer having to dial an access code.

GENERAL INFORMATION

WinStar will deploy two PIC (Primary Interexchange Carrier) technology in its switches. This technology will enable the customer to presubscribe to the same or a different carrier for their intraLATA and/or interLATA service. WinStar will offer customers the ability to access all participating carriers by dialing the appropriate access code (10XXX/101XXXX). WinStar will revise and file all appropriate tariffs in accordance with this Plan.

WinStar intends to implement its intraLATA toll dialing parity plan no later than thirty (30) days following the Authority's approval of WinStar's dialing parity plan or July 22, 1999, whichever is earlier.

WinStar will implement equal access in all of the exchanges contained in the following Tennessee LATAs, including LATAs 468, 470, 472, 474 and 956.

All eligible WinStar end user telephone line numbers will be presubscribed and must have a PIC associated with them.

CARRIER INFORMATION

Carriers will have the option of offering intraLATA service only or intraLATA and interLATA service. WinStar will notify potential carriers sixty days prior to the initial availability of presubscription in specific market areas. Carriers will have the option of participating in all market areas or in a specific market area.

Carriers will be required to return a completed Non-Disclosure Agreement and Participation Agreement(s). These documents will be provided to carriers as part of the WinStar carrier correspondence process.

WinStar will not participate in billing disputes for intraLATA service between alternative competing carriers and their customers.

Carriers wishing to participate will be requested to submit Access Service Requests/ Translation Questionnaires to the Access Tandem owner and to WinStar.

NETWORK INFORMATION

All originating intraLATA traffic will initially be routed via the incumbent Local Exchange Carrier (LEC) Access Tandem(s). Following conversion, direct trunks between the WinStar switch and the carrier location(s) may be provisioned where traffic volumes warrant.

Carriers must have Feature Group D trunks in place between their point of presence and the incumbent LEC Access Tandem(s).

WinStar will route all originating intraLATA traffic to the designated carrier and will only block traffic at the request of the end user customer and/or in compliance with regulatory regulations.

Requests from carriers to block traffic or to remove customers from their network will not be honored. Calls that cannot be completed to a carrier will be routed to an announcement.

In the event that WinStar offers operator service and/or directory assistance, it will offer such services in a nondiscriminatory manner. WinStar will provide access to telephone numbers and directory listings upon demand and in a nondiscriminatory manner.

CUSTOMER CONTACT INFORMATION

WinStar customer contact representatives will process customer initiated PIC selections to WinStar or to an alternative intraLATA carrier as designated by the customer. Carriers will have the option of allowing the WinStar representative to process PIC requests on their behalf.

Alternative carriers may submit PIC changes to WinStar via a fax/paper interface. Details regarding this process will be provided as part of WinStar's carrier correspondence.

WinStar will accept as a bona fide PIC a selection of "NO PIC" as a choice. "NO PIC" customers will have access code dialing capability to reach participating intraLATA carriers.

Existing customers will be notified of their ability to choose their IntraLATA carrier via a bill insert. This insert will be sent to existing customers prior to WinStar's implementation date of equal access. If the existing customers do not make an affirmative choice as to their IntraLATA carrier, WinStar will inform the customer that the existing customer will remain with their current IntraLATA toll carrier. If a new customer fails to affirmatively identify a IntraLATA toll carrier, WinStar will inform the customer that the customer will be assigned a "NO PIC" selection as their choice and will be informed that they have access code capability for reaching participating IntraLATA toll carriers.

WinStar will provide customers with a confirmation notification of their PIC (WinStar or an alternative carrier) selection.

WinStar representatives will provide alternative carrier(s) names and contact telephone number (if provided by carrier) to customers in random order upon customer request. WinStar representatives will not discuss alternative carrier rates or services and will not provide customers with Carrier Identification Codes or access code dialing instructions.

WinStar representatives will not initiate or accept three way calls from alternative carriers to discuss presubscription.

PRESUBSCRIPTION INFORMATION

WinStar does not plan to recover costs associated with introducing dialing parity. At this time, WinStar is not operating in Tennessee, however, WinStar is currently installing a network in Tennessee that will support dialing parity from the outset. Thus, WinStar will not have to recoup any costs related to the implementation of dialing parity in Tennessee.

WinStar will offer its customers a 120 day grace period following implementation of this plan during which customers may change intraLATA carries without incurring a PIC change charge. Customers can make no more than two free PIC changes during these 120 days at no charge.

In an effort to reduce unauthorized PIC changes, WinStar will offer intraLATA PIC Freeze service to all customers at no charge. PIC Freeze can only be initiated (or removed) by the customer requesting it through their WinStar representative. WinStar will not offer this PIC freeze service for the first 180 days after implementation of dialing parity in accordance with the Tennessee rules and regulations. WinStar also will comply with all Tennessee rules and regulations regarding the unauthorized PIC changes.

Carriers will be required to submit PIC changes using the Customer Account Record Exchange (CARE) 960 byte format via paper medium. WinStar will provide carriers with PIC order confirmation and reject information using the CARE format. Specific details regarding CARE will be provided to participating carriers.

For customers who change their local service provider from the incumbent LEC to WinStar and retain their incumbent LEC telephone number(s), WinStar, as part of the CARE PIC process, will provide the selected intraLATA carrier with both the retained (incumbent LEC) telephone number and the WinStar telephone number.

WinStar will comply with all of the rules and regulations regarding IntraLATA presubscription established by the Federal Communications Commission and the Tennessee Regulatory Authority.